

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, August 20, 2007 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, John Lebeaux, James McCaffrey, Moira Miller, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:03pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #07109S in the amount of \$500,875.86, #0813 in the amount of \$564,529.32, and #0816 in the amount of \$7,363,089.19. Motion made, seconded and unanimously approved.
2. Approve minutes August 6, 2007 and August 13, 2007. Motion made, seconded and unanimously approved.
3. Announcements: Mr. McCaffrey advised that he had heard from several residents recently regarding accidents at the intersection of Prospect Street and North Street. He wished to make those citizens and others that travel that area aware that the Police Dept., Town Manager and Highway Dept. are working on a solution to this dangerous situation. Mr. Lebeaux announced that the Red Cross will be holding a blood drive a week from today on August 27th from 2:00pm-8:00pm at the Senior Center. You can make an appointment on line or drop by the Senior Center.
4. Town Manager's Report. Mr. Morgado advised that the Community Advocate had recently run an article on the Pay As You Throw program announcing that it would begin in July 2008. This is not correct. The staff is ready for the program as part of preparation for the budget process. However, before the program could begin there are still approvals needed from the Finance Committee, Board of Selectmen and Town Meeting.

Meetings:

Old Business:

5. Continuation – 40B Discussion. Mr. Lebeaux and Mr. McCaffrey recused themselves from the discussion to avoid the appearance of conflict of interest. Judi Barrett, consultant, Eric Denoncourt, Engineer & Planner, and Mr. Morgado acted as presentors of the staff's evaluation of the two projects. Asst. Manager Michael Hale was also present. Mr. Morgado advised that the staff had met last week, after the public hearing on Monday and workshop on Wednesday, and evaluated the two projects using a criteria of rating one against the other in eighteen categories. The Board will have to decide which of these criteria are critical and determine which project does not meet these standards. They will also have to take into consideration the risk involved, will the project get done within the time frame and will it look like what has been proposed. Mr. Morgado reviewed the Evaluation of Fairfield & Avalon Proposal Goals & Objectives as compiled by the staff. Out of the eighteen criteria evaluated, Fairfield scored higher in eleven categories, Avalon scored higher in five categories and both projects were judged to be equal in two of the eighteen categories. Ms. Barrett advised that there will always be questions with a mixed use proposal like Fairfield whereas there are never any questions with an Avalon type proposal. Fairfield would be located in the Lakeway District and would fit criteria set forth for mixed use development in the Master Plan. If the town is only looking to fulfill the affordable housing requirement then Avalon is the answer. Mr. Morgado added that there is a risk factor in going with a plan that would fulfill the entire 40B requirement. There is talk of changing 40B legislation so the town could end up building more units than needed. Mr. Card raised the possibility of saturating the route 20 area with 40B developments if Avalon were approved as there is already one Avalon project in Shrewsbury on Route 20 and another around the corner in Northborough. Ms. Miller expressed concern about the impact on water and sewer service in regards to Fairfield. Mr. Morgado acknowledged that this could be a risk factor but the biggest impact would be on the schools as

both projects would send children to Floral Street under the current school districting. Mr. DePalo voiced concern about the intersection of Route 9 and Maple Avenue and curb cuts for Fairfield. These would have to be resolved with MassHighway. Mr. Morgado advised that the biggest risk will be in getting the permitting for either project. A discussion on the financial analysis of the projects ensued. Mr. Hale explained the conclusions and how they were reached to the Board. Mr. DePalo expressed concern that the commercial/retail component of the Fairfield project would be hard to finance and never be realized. Mr. Denoncourt noted that Avalon could have a negative impact on Centech East with the proximity to residential housing it may be difficult to find tenants. Whereas the Fairfield project would be part of the Lakeway District and would redevelop a section of that area. Mr. Morgado noted that the Board will need to get specifics from the developers and staff to answer their questions in order to go forward in the decision making process. Mr. DePalo advised that the plan for the Wednesday meeting should be to set priorities and to weight those priorities. The Board will meet at 7:00pm on Wednesday, August 22nd in this room to continue their discussions and set priorities for the selection of a 40B project.

6. Topsfield Circle. Mr. DePalo advised that the Board had received an opinion from the Police Chief and Town Engineer on making Topsfield Circle one way. However, the gentleman making the request was talking about only one section of the street to be one way. He would like signage indicating right turn only where Sheryl Drive enters Topsfield Circle. After a discussion, motion was made, seconded and unanimously voted to deny the request.
7. Bean Counter Cake & Pastry Shop. Mr. DePalo advised that a complaint had been received from an abutter regarding trash overflow in the dumpster at the Bean Counter and had been forwarded to the Board of Health and Building Inspector for follow up and report. Board of Health Sanitarian, Robert Moore, advised the Board that he had met with the owner and steps are being taken to rectify the situation. The Board of Health will continue to monitor. Mr. DePalo stated that he would also like to hear from the Building Inspector on this matter. Abutter will be notified that the situation is being taken care of.

New Business:

8. Spirit of Shrewsbury Fall Festival Committee, Common Victualler's License for Oak Middle School, Saturday, September 15, 2007, 10:00am-4:00pm with a rain date of Saturday, September 22, 2007 and Saturday, September 29, 2007 and Sunday, September 30, 2007, 9:00am-5:00pm. Maria Smith, president of the Spirit of Shrewsbury Committee was present and outlined the events planned for his year's festival including a new parade route beginning at Beal School and ending at Oak Middle School. Motion was made, seconded and unanimously voted to approve the application for a Common Victualler's License for the days and hours stated.
9. Request from Patrick Collins, 25 Raymond Avenue, to run a 5K road race in Shrewsbury to benefit Massachusetts Veterans, Inc. on Sunday, November 4, 2007 at 11:00am. Motion was made, seconded and unanimously voted to approve Mr. Collins' request.

Executive Session:

10. Collective bargaining, pending litigation and value of real property.

Communications:

11. Noted copy mailed: Letter and related materials from Mass. Coalition for Affordable Housing.
12. Noted copy mailed: E-mail from John Lukach, 4 Bunker Hill Road, re 40B Project: Public Hearing. Issues were addressed at the public hearing.
13. Noted copy mailed: ZBA Hearing Minutes, 6/26/07, James Birnie, 178 Old Mill Road.
14. Noted copy mailed: ZBA Hearing Minutes, 6/26/07, Peter Oikle, 212 So. Quinsigamond Avenue.
15. Noted copy mailed: Letter from Southborough Planning Board Chairman Gaffney to Executive Office of Transportation Secretary Cohen re traffic on Route 9 in the MetroWest region.
16. Noted copy mailed: Letter from Mass. DEP re *Mass Recycles Paper!* Campaign.
17. Noted copy mailed: E-mail from Animal Control Officer Leona Pease re Adam Flander's Pit Bull Daisy. Matter is in process in Westborough District Court.
18. Noted copy mailed: Westborough Treatment Plant Board Meeting Minutes, 7/11/07.

19. Noted copy mailed: Letter from Central Mass. Metropolitan Planning Organization re candidates for CMMPO Advisory Committee. Mr. DePalo advised that changes made to the Memorandum of Understanding have allowed for an increase in the number of members on the Advisory Committee. If the Board has anyone they would like to recommend they should contact the Committee by August 31st.
20. Noted copy mailed: Letter from Ralph Anderson, Jr., 114 Lake Street, re 40B proposals.
21. Noted copy mailed: E-mail from John Forbes, 11 Oak Street, re Oak Street Residents Commentary – Fairfield Development Proposal.
22. Noted copy mailed: E-mail from Spencer & Ruby Schwartz, 200 Cherry Street, re Noise. Related to a propane cannon being used by a farmer to scare birds away from crop. Matter is being looked into.
23. Noted copy mailed: Letter from Mark Donahue, Esq., Fletcher, Tilton & Whipple, re Fairfield Residential, LLC.
24. Noted copy mailed: E-mail from Lisa Paciello, Esq. re Drs. Lee & Angela Mancini of 110 Oak Street in Shrewsbury.
25. Noted copy mailed: Memo from Mr. Morgado re Contract Extension – Ambulance Services. Contract with UMass/Memorial for extension of ambulance services has been finalized.
26. Noted copy mailed: Letter from Mr. Morgado to Rep. Polito & Sen. Augustus re DEP Registration Renewal Request.
27. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2007-08B, re Training Program for Assessors.
28. Noted copy mailed: Expanded Environmental Notification Form, Rte. 20 & Cherry Street from Waterman Design Associates. (complete report on file is office)
29. Noted copy mailed: Notice of Hearing from ABCC re Zante, Inc. d/b/a Sophie's, rescheduled from 7/17/07 & 8/14/07 to 9/5/07.
30. Noted copy mailed: E-mail from Cynthia Wright, 1 Cooper Drive, re 40B Proposals.

Motion was made, seconded, and unanimously voted to adjourn at 9:00pm. On a roll call vote Ms. Miller, yes, Mr. Card, yes, and Mr. DePalo, yes.

Respectfully submitted,

Janice C. McCoy
Secretary